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ABSTRACT

This theme issue focuses on the drastic revision of the Texas education code undertaken during the 1995 state legislative session. "Education Policy Reform: Key Points for Districts" (Albert Cortez, Mikki Symonds) outlines critical issues in the legislation that have an impact on educational quality: charter schools exempt from state regulations; public education vouchers for school choice; facilities funding; bilingual education; compensatory education; school finance formula; textbook selection; student behavior problems and discipline; teacher salaries, rights, and certification; and parent rights and responsibilities. "Legal Challenges to New Education Code Foreseeable" (Albert H. Kauffman) lists probable sources and legal bases of challenges to the new Texas code. "Texas Public Schools Charter Provisions in the New Education Code" describes specific provisions related to the establishment and operation of new charter schools. "Some Thoughts on the Legislature's Attempts To Improve Public Schools in Texas" (Albert Cortez) criticizes the "reforms" of the new Texas education code because they were formulated without input from key stakeholders and will do little to improve the education of the state's most disadvantaged and disenfranchised populations--minority-group, limited-English-proficient, and low-income students. Other articles not related to this issue's theme include "Issues in Accountability Testing of LEP Students: Reflections on the Policy Making Process" (Adela Solis); "How Federal Policy Impacts My Classroom" (Lucy Windham) expressing thoughts on bilingual-education policy; "IMPACT: A Model for Schools To Promote Parent Advocates for Children and Changes" (Ninta Adame-Reyna); "Teachers and Parents Surf the Internet: Finding Boards and Catching 'La Onda'" (Mikki Symonds); "We Need the Federal Government in Education" (Michael Casserly); "Coca-Cola Valued Youth Program Brings Together Tutors, Parents and Teachers" (Linda Cantu); and "IDRA Creates Manual for Title VII Proposal Development" (Abelardo Villarreal). Contains suggested readings on equity in school funding. (SV)

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IDRA FOCUS: POLICY UPDATE

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EDUCATION POLICY REFORM: KEY POINTS FOR DISTRICTS

IDRA is an independent nonprofit advocacy organization dedicated to improving educational opportunity. Through research, materials development, training, technical assistance, evaluation, and information dissemination, we're helping to create schools that work for all children.

Albert Cortez, Ph.D. and Mikki Symonds, M.A.

The Texas legislature has undertaken a drastic revision of the state education code during its 1995 legislative session. The legislative changes comprise a 1,000-page document that will result in substantial differences in educational policy. This legislation is the most comprehensive change to Texas education law since 1949. The debate also reflects others that are occurring in state houses all across the country. For example, 31 states currently have or are considering charter school laws.

The Intercultural Development Research Association (IDRA) is concerned about some critical issues in the legislation that will have a strong impact on the quality of education that will be provided to children in Texas during the next decade. These critical issues include school district organization (charters and vouchers), curriculum, assessment, special programs, educator rights and salaries, and parent rights. The following outlines the Texas legislative changes and the implications of these decisions for schools and students.

tions, including exemption from most state laws and regulations. Eligibility to operate open enrollment charter schools is limited to state-funded and private colleges or universities, non-profit organizations, and some government entities.

As local communities are provided this greater flexibility, student advocates must take steps to ensure the following:

- All students and all communities *must* benefit from charters.
- Although the districts are exempted from most state laws and regulations that had protected an array of student and educator rights, charters must originate from and operate under *representative* governance structures.
- Local schools and state officials must be held accountable for the results of these new initiatives, including acknowledgment of situations in which these efforts succeed as well those in which schools or students are ill-served.

For more details of the charters provisions see Page 8.

Charters

The legislation permits three types of charter-based initiatives in the state public school systems: home-rule or district-rule, campus or program, and open enrollment. A vote of the majority of parents and teachers on a local campus may initiate campus or program charters. Open enrollment charter schools are created by application to the State Board of Education which may approve up to 20 such charters.

One key feature of the new home/district-rule and campus/program charters is extensive "flexibility" in local opera-

Public Education Vouchers

A public education grant program adopted by the legislature applies only to students who attend low-performing school systems, (school districts where fewer than 50 percent of the students perform satisfactorily on the Texas Assessment of Academic Skills (TAAS) test). Under the public education grant program:

- Students attending low-performing school systems can transfer to another public school in the area.
- Most state and local funding that is avail-

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Popularized in the early 1970s by author Thomas Kuhn, "paradigms" are our models or patterns of reality, shaped by our understanding and experience into a system of rules and assumptions about the world around us. The call for restructuring in education, emerging from a profound sense that education is not working for all children, requires a transformation in how we see schools, students, and their families. If we are to find a new and equitable vision of what education can and should be, new lenses are required to change the way we look at schools and the populations in them - as demonstrated by our "Now" thinkers below.

THAT IS THEN... THIS IS NOW...

"Whether confined to public schools or expanded to include private and parochial schools, school choice has emerged in state after state as a centerpiece of a growing grassroots challenge to a government-run school system that is failing in many areas of the country, particularly in America's inner cities. This is not only because school choice is the best way to make schools accountable to parents and children, but also because virtually all other efforts, including higher taxes and spending for education, have failed to improve America's schools."

Heritage Foundation, *The New Member's Guide to the Issues*, 1995

"One of the least-discussed of these [shortcomings] has been the new finance system's 'leveling down' effect - a product of its 'Robin Hood' plan of transferring property tax funds from some 96 'wealthy' districts to neighboring districts, or to the state. Critics argue it would have been better for the state to cough up its own money for equalization without raiding the property taxes of local districts."

Kemper Diehl, *San Antonio Express-News* column, February 19, 1995

"In the 220-year history of this country, there have been three wholesale scale monopolies: the post office, the telephone company, and government schools. There remains only one of our country's three big monopolies still in existence, and this monopolistic system has become functionally obsolete."

Robert Aguirre, business consultant, *San Antonio Express-News* column, April 2, 1995

"Schools should go back to teaching and educating students instead of serving as social service agencies."

Heritage Foundation, *The New Member's Guide to the Issues*, 1995

"Unless our commitment to quality includes all schools, we are building more lifeboats, not better ships."

Ann Bastian, New World Foundation.
Quoted in *False Choices*, 1992

"It's not simply a matter of parents choosing a private school, but of private schools choosing students. And the school's choice always wins. If a private school doesn't want your child, whether for academic, discipline, religious or financial reasons, there's nothing you can do."

editors of *Rethinking Schools*, Spring 1995

"Inadequate facilities do affect the learning process. It's going to hurt us because we won't be able to do the things we need to do. The members of the legislature historically have shown that they are not going to do anything unless they have a gun to their heads."

John Noriega, board president of Edgewood School District in San Antonio, on the January 1995 Texas Supreme Court ruling on school facilities. Quoted in *San Antonio Express-News*, January 31, 1995

"Without federal funding, states would be left with only one option, and that's to cut children off."

David Cass, Children's Defense Fund
Quoted in *Education Week*, April 26, 1995

"Government is the coming together of people to do for themselves collectively what they cannot do at all or as well individually."

former New York governor Mario Cuomo. Quoted in *San Antonio Express-News*, February 1995

LEGAL CHALLENGES TO NEW EDUCATION CODE FORESEEABLE

Albert H. Kauffman

The new Texas education code is likely to be challenged in court under a variety of constitutional and statutory challenges. Some of these challenges will be based on the language of the statute, and others will be based on the application of the statute. To prevent violations of federal and state constitutional and statutory law and to make available information to persons affected by violations, this article lists the major probable legal bases of challenges and gives examples (by no means exhaustive) of parts of the new education bill (SB 1) that might be subject to such challenges.

Sources of the Possible Challenges

Challenges to the new education bill are most likely to occur under the U.S. Voting Rights Act, the *U.S. vs. Texas* litigation, the *Edgewood* cases, and due process and other constitutional challenges.

The Voting Rights Act requires changes in voting procedures to be submitted for federal pre-clearance and allows the public or the federal government to stop changes that have not been pre-cleared. It would clearly apply to any changes in electing school trustees (provided for under the new charter schools provisions) or to any de-annexation of school districts. A recent case stopped the Texas Education Agency from appointing a master over a school district because that appointment changed the power of elected school board trustees.

The *U.S. vs. Texas* federal court case prevents the Texas Education Agency from "sponsoring" discrimination caused by de-annexations, transfers of students (provided for under the public education scholarship program) and other practices and policies that promote or allow desegregation of students in school districts.

The *Edgewood* cases provide standards for the finance system of the state and require the state to deal with the terrible problem of facilities and inequity in Texas public schools (e.g., facilities funding formula providing short-term resources was incorporated into SB 1).

The federal and Texas due process standards (the Texas standards are even stronger than the federal standards) could be involved in challenges to disciplinary procedures (such as the removal of students from classrooms), teacher contract rights

and denials to parents of "rights" created for them in the new education law.

Vulnerable Parts of the Education Law

A few examples of the particular parts of the education law and the applicability of legal challenges include the following.

SB 1 allows **charter school districts** to change their method of electing school board members and to even change the number and qualifications required of school board members. All of these changes would have to be submitted for federal pre-clearance under the Voting Rights Act, and many of them would be struck down by courts because the changes have either the intent or the effect of discriminating against minorities.

The charter schools themselves would, in many cases, change the power of locally elected school board officials. Charter schools would have to abide only by those state requirements specifically listed in the new education code. Efforts by state officials to require local charter schools to meet state standards would be challenged by any district that could argue that the state requirements are not "specifically" on the list.

Open enrollment schools allowing private non-profit groups, universities or other governmental entities to form schools could be challenged under *Love vs. Dallas*, an old (but still powerful) Texas Supreme Court case preventing the state from requiring a school district to spend local tax monies on out-of-district students. Open enrollment schools controlled by religious groups might be challenged under the Texas Constitution's freedom of religion standards.

The use of state money to pay for non-conforming **textbooks** or for textbooks on an "open" list are likely to be the bases of challenges against the state testing system. Tests must be based on matters actually taught in the public schools, and tests that are not so "curriculum based" are open to challenge even under the limited challenges available under the federal law. The new textbook provisions are also likely to be challenged under a variety of freedom of speech due process challenges and efficient school standards.

The **school finance** provisions of SB 1 remove neither the gap between richest and poorest school districts or other weak-

nesses of SB 7 (the school finance legislation of 1993, which was the subject of *Edgewood IV*). In fact, SB 1 will increase disparities by continuing the hold-harmless provision for richest districts (this provision allows rich districts to maintain their high levels of education funding), taking away Tier II money from districts because of a change in counting weighted students and facilitating the ability of districts to go above the \$1.50 limit on equalized funding into tax rates in which there is no equalization and clear inequality of access to funds. Continuation of the *Edgewood* litigation could be based on such problems.

The SB 1 **facilities** "provisions" are available only to less than one-half of the state's school districts. SB 1 does not provide sufficient monies or long-term equalization of facilities. The facilities provision could be challenged under the *Edgewood* decisions, including the *Edgewood IV* decision that continued to criticize the lack of facilities funding.

SB 1 gives **parents new rights** to request certain teachers and schools and significant new access to information. Many of these "rights" are improvements and are likely to bring about increased parent involvement. They are also likely to bring about significant litigation by parents who are not given the rights that they request or who feel their rights have been prejudiced because of other parents' "privileges."

The **safe-school provisions** requiring removal of students from the classroom and placement in alternative programs under certain conditions and expulsion under other conditions are quite likely to be challenged under due process provisions of the federal and Texas constitutions.

Closing Note

I do not mean to imply that all of these challenges will be filed or would be successful or that there are not many other challenges that could be made. However, advocates of equal opportunity for children should be aware of these issues both to prevent violations of the law and to address violations of the law should they occur.

Albert H. Kauffman is a senior litigation attorney for the Mexican American Legal Defense and Education Fund (MALDEF) in San Antonio, Texas.

SPOTLIGHT ON ASSESSMENT

Like other children, students whose first language is other than English bring a wealth of knowledge and experience to school. But historically, standardized tests have provided little or no useful information about these students' language or cognitive abilities. The use of assessment and testing data has too often been limited to holding students accountable, offering little or no help to guide improvement efforts or foster collective accountability. IDRA works with all parties that have a vested interest in the educational outcomes produced by the schools -- the students, the educational practitioners, the families and the broader community -- to use data to frame solutions, monitor progress and hold all of the participants involved in the educational process accountable for the end results. IDRA is helping schools find solutions to traditional methods of testing and assessment, enabling students from diverse backgrounds to become empowered learners.

ISSUES IN ACCOUNTABILITY TESTING OF LEP STUDENTS: REFLECTIONS ON THE POLICY MAKING PROCESS

Adela Solís, Ph.D.

The transition to standards-based education has led states across the country to become more concerned with assessment. Indeed, student appraisal to keep track of progress toward achieving high standards is the only way states can show that they are doing a good job at meeting this new challenge. As in other states, a special challenge for the Texas Education Agency is keeping track of the progress of special student groups whose unique (non-mainstream) characteristics require adaptation of instruments in order for them to be adequately assessed with the state's standardized accountability measure, the Texas Assessment of Academic Skills (TAAS), one key facet of the state's accountability system.

To meet its own and local school districts' accountability obligations, the state aims to generate as complete a picture of student academic progress as possible by administering the TAAS to all its students (*Texas Education News*, 1995; TEA, 1995). How to do so fairly and equitably, however, is especially complex. It seems that the State Board of Education (SBOE) is always considering and executing changes in policy to accommodate the myriad of problems and situations that affect appropriate appraisal of students (Note: Policy on student assessment relating to accountability testing, entry-exit procedures and other programmatic areas in bilingual education has changed at least in 1991, 1993 and 1994). Yet, despite policy changes, there has not been much progress in removing obstacles to fair and equitable assessment. Such is the case with students of limited-English-proficiency (LEP).

Consider the most recent LEP assessment policy change in Texas and the subsequent school district action to implement it, an ongoing effort to meet both the stu-

AMONG SOME STATE OFFICIALS, THERE SEEMS TO BE MORE EMPHASIS ON MAKING POLICY THAN ON GUIDING AND MONITORING THE PROCESS.

dents' language and state accountability assessment needs, the state amended the student assessment rules in a rather substantial way in 1994 (TEA, May 1994; TEA, March 1994). Although this change was met with optimism by state leaders and local educators, less than two years later, there is obvious frustration and dissatisfaction among some educators with the policy. Simply put, neither the language-related concerns nor the accountability needs that the policy change sought to address were met. Why the shortcoming? What does this say about the policy and the policy making process? What does it say about the players in this process? Because it is our students' educational future that is at stake, it is crucial for educators to find answers to these policy related questions.

It might be useful to us, whether inside or outside of Texas, to explore these questions in the context of this policy change, the policy intention, the assumptions of the state and others regarding the school district role in implementing the policy, and the actions actually taken by the schools this past year to implement the policy. This scenario provides an example of how policy setting and revision has been used as a strategy to problem resolution but, at least until now, with mixed results.

The Policy Change and Intention

Since the inception of competency testing in 1980, the state agency in Texas has had special policies on the assessment of LEP students. In 1994, however, rules were significantly amended to accommodate needs of LEP students that were not sufficiently addressed previously. Three specific advocate concerns were addressed by this policy change:

- Assessment in a language that students do not understand (the issue is that this should not occur);
- Assessment of students on skills not taught (the issue is that evidence of appropriate instruction should precede assessment); and
- Maintenance of evidence of English achievement (the issue is that ongoing documentation of progress in acquiring English language skills should exist).

These concerns had been voiced to the commissioner of education by IDRA, the Texas Association for Bilingual Education and state bilingual education directors to the state education agency's Division of Bilingual Education in 1993 and 1994.

In response to these concerns, the board of education amended the assessment rules to do the following:

- Permit school districts to exempt LEP students from taking the English TAAS for up to three years.
- Require districts to use other "alternative" assessments during these three years to document LEP student progress in academic achievement. (These assessments may be in English or the student's native language.)
- Require that alternative assessments for Spanish-speaking exempted students be used only until such time that a Spanish

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measure of the TAAS becomes available. (Thereafter, they are administered the Spanish test.)

- Establish a (tentative) time schedule for native language TAAS tests.
- Establish a commitment to incorporate Spanish-language assessments into the state accountability system.
- Direct districts to make decisions on the local implementation of the policy, through the Language Proficiency Assessment Committee (LPAC), which is required under the state bilingual education regulations (TEA, 1991).

Assumptions about the Implementation Role of the School District

The policy and expected policy implementation embrace some underlying assumptions that have often been expressed through the Division of Bilingual Education:

- The policy change responds to needs articulated by the field school districts who know their students best.
- School district educators have expertise in assessment issues and procedures for assessing LEP students' language and academic skills.
- School districts have management and decision-making mechanisms—the LPAC and LPAC process—through which they can implement the policy.

Because the 1994 policy went into effect immediately, school districts were requested to take action regarding LEP student assessment the same year (*Texas Education News*, 1995; TEA, 1995). This included making decisions on exemptions of the LEP student population, identifying alternative assessments to be used with exempted students, defining academic improvement and determining academic improvement accomplished through the selected alternative assessment, documenting the alternative assessments results (percentage of students demonstrating academic improvement), and reporting to the state on these decisions and outcomes.

Because these procedures were for accountability purposes, it seems logical that the state expected school district reports to provide comprehensive information to address the question of achievement asked by the TAAS. Similarly, it seems logical that school districts would have demonstrated some degree of commitment to the state goal of maximum accountability.

Thus, logically, school district reports

to the state should have done certain things. They should have accounted for all LEP students. Conceivably, all school districts educating the approximately 400,000 students shown in the Public Education Information Management System (PEIMS) enrollment accounts should have reported, but, minimally, school districts with students who qualified for the exemptions, should have reported. Secondly, the reports should have included measures (for alternative assessment) from the state-approved language and achievement tests list (previously used primarily for entry and exit purposes) and/or authentic, classroom-based assessments and included evidence of validity and reliability of the alternative measures. The reports should also have defined and reported achievement improvement in the areas assessed in the TAAS (reading, math and English skills). Assessments presumably should have shown that they embraced the same scope of skills and intensity of instruction as is done for the TAAS and that they were in the students' strongest language. Lastly, although not specifically requested by the state, reports could have provided substantiation of the LPAC decision-making relevant to the requested action to give weight to decisions and their results.

Actual Implementation Actions by the School Districts

Unofficial information from the state and the school districts themselves relative to first-year reports reveal that the implementation of the state's LEP exemption alternative assessment policy was disturbing and less than satisfying to the state and schools alike. Both seem to believe that the difficulty lies in the policy and policy process. The following are some of the problematic issues that were noted:

Not all districts expected to report did so. Data I examined indicates that at least 600 school districts were expected to report (as at least this many would have students who qualified for exemptions). Only 297 district reports were received by the

state by the fall of 1994, a 49 percent reporting rate.

Some reports were submitted late. Of the 297 reports, some (an undetermined number) were submitted after a second notice was sent in the fall of 1994.

Of the districts reporting, there was a pattern of disconcerting outcomes and actions:

- *High percentage of exemptions.* The exemptions were for students in the grades the TAAS is administered—grades three to eight. In the grades the TAAS was administered, there was a total of 193,894 LEP pupils enrolled that year (451,571 in all grades), according to the PEIMS Preliminary Enrollment Data for 1994-1995. Of these 193,894, there were 62,937 (or 32.5 percent) pupils who were exempted.
- *Unclear definition of educational improvement.* According to the Division of Bilingual Education reports, by and large, most districts simply did not include a definition of academic improvement.
- *Unclear assessment results.* Since a def-

DISTRICTS SEEM TOO FOCUSED ON NARROW INTERPRETATIONS OF RULES AND PREOCCUPIED WITH DOING THE ABSOLUTE MINIMUM, RATHER THAN USING THEIR PROFESSIONAL KNOWLEDGE AND EXPERIENCE WITH THIS STUDENT POPULATION TO CONSTRUCT NOT JUST LEGAL, BUT CUTTING-EDGE PRACTICE.

inition of academic improvement was not there, achievement gains were not clear. It was altogether nebulous whether or not schools had any year-to-year data on LEP student achievement through TAAS or other measures.

- *Much variation across school districts with respect to alternative assessments used.* Since so much variation was reported, it was not possible to determine which were the most salient and promising alternative measures. Variation can be exemplified like this: For reading assessments, there were eight measures

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able in the student's home district will follow the student to the new campus.

- Receiving school districts must provide transportation for transferring students but only to the extent already required of school districts in state law.
- Discrimination is prohibited on the basis of race, ethnicity, family income, academic and athletic ability.

As in the new charter schools and districts, IDRA recommends that student advocates monitor the operations of the public school voucher program closely, particularly focusing upon:

- What types of students apply for and are granted the public school education grants;
- What local procedures are developed as part of the application process;
- What are the effects of the student transfers on the schools from which students transfer;
- What are the academic and other outcomes resulting from the movement of students at both the receiving and the sending campuses; and
- To what extent is transportation provided and what are the effects of variations in the support services.

Facilities Funding

The education code legislation provides limited state facilities funding (\$85 million annually) to schools that qualify under the state eligibility criteria. Eligibility for funding is based on property wealth of the district and a tax rate above a specified level (\$1.30 total effective tax rate or a 20c bonded indebtedness tax rate). If applications exceed available revenues, local districts are ranked by property wealth per pupil, and funds are assigned until all available revenue is committed.

IDRA has long proposed that states should assume their fair share for funding local school facilities construction and renovation. While the facilities funding formula in Texas is a step in the right direction, it fails to consider adequately important issues such as levels of existing debt, growth in student enrollment, condition of existing facilities, and the special needs of students. Most importantly, the legislation does not integrate facilities into the state funding formula, making future allocations dependent on the availability of sufficient additional state monies. Advocates should encourage local school officials to apply for

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NEW TEXAS EDUCATION BILL: CHANGE, BUT NOT REFORM

The new Texas education bill has been touted as the most important education reform since 1993. However, behind the rhetoric of local control, parental choice and reduction of state regulation, are changes without any coherent plan for improvement of our education system. The "reform" moves away from programs that have improved achievement for all of our students and moves toward increasing divisiveness, confusion and finance problems in the Texas public schools.

The bill is hypocritical. It increases local control to do away with programs that are unpopular in Austin, while decreasing local control over programs that are popular in Austin. A few weaknesses of the bill are:

- (1) Districts can adopt a **home rule charter** that would allow the district to do away with the maximum class size of 22 students in each classroom in elementary grades. Reduction in class size has been the most important reform in public schools in the last 10 years. Statistical studies, teacher's testimonies and pure common sense tell you that a teacher can do a better job with 22 students in a classroom than with 35 student in a classroom. With 22 students, a teacher might be able to give the students individual attention, measure their progress and recommend specific remedial work. With 35 students in a classroom, this is almost impossible.
- (2) The **home rule charter** can change the method of selecting school board trustees and the number and qualifications of the trustees. It is hard to imagine a change that is more likely to cause disruption and litigation.
- (3) **State education money and local school district taxes can be diverted** out of local school districts to private foundations running schools or to other school districts. There is no guarantee that the students most in need will be able to avail themselves of programs in these private schools or other school districts.
- (4) The bill makes it easier for parts of school districts to separate themselves and form their own school districts. The Texas Supreme Court, state leaders and local taxpayers have long criticized the fact that there are too many school districts in Texas. This bill facilitates the **creation of new school districts** guaranteeing divisiveness and further litigation.
- (5) There continues to be a lack of **adequate school facilities** in the state. The bill does very little to improve facilities, giving facilities money - and very little of it - to fewer than one-half of the school districts in the state and creating no long-term system of equalizing facilities.
- (6) The bill makes very little change in the **finance system** except that it does fund the promises made back in 1993. However, in 1996-97, districts that maintain their high tax rates but do not increase enrollment will *lose funding*. The bill allows the richest districts to maintain advantages over other districts costing the state \$40 million while taking money away from districts with needy students.
- (7) For the first time, local school districts will be able to grant their own **teacher certificates** to anyone with a bachelor's degree (the commissioner of education has a "veto right"). These certificates will be non-transferable to other districts but are almost sure to invite patronage and a less qualified corps of teachers.
- (8) The bill encourages a proliferation of **textbooks** available to school districts but *does not* require them to cover the curriculum that will be tested by statewide standardized tests. History textbooks would not have to include sections on the Civil War or the Holocaust or President Reagan, and biology textbooks will not have to include sections on Darwin or human reproduction. This will certainly promote discussion at the local school board, but it is very unlikely to result in a coherent curriculum coordinating the requirements of the curriculum with textbooks and statewide standardized tests.

The bill is a step backward in the struggle for excellence and equity in schools. Our children deserve better.

Used with permission from the author, Albert H. Kauffman, Mexican American Legal Defense and Education Fund, June 1995

available funds and review data on who benefits from the funding that is provided.

Bilingual Education

Bilingual education had been deleted from several sections of the education bill prior to voting in the House, but compliance with bilingual education provisions was restored by the time the sections came up for a vote. The legislation also requires that charter schools comply with the same bilingual education requirements applicable to all other Texas schools. Although some legislative members attempted to require that all state testing be administered in English, bilingual proponents successfully argued that assessment must align with instruction and that in some situations it is necessary to use native-language testing to monitor student progress and program accountability. Although bilingual textbooks had been inadvertently excluded from the state textbook program, the legislation was amended to provide for the acquisition of textbooks suitable for use in the bilingual program.

WHILE IT IS AMBITIOUS AND COMPREHENSIVE, MANY PEOPLE QUESTION WHETHER OR NOT THE NUMEROUS WHOLESALE CHANGES INCORPORATED INTO SB 1 WILL TRULY IMPROVE THE QUALITY OF SCHOOLING FOR THE 3.4 MILLION STUDENTS IN TEXAS PUBLIC SCHOOLS.

While not constituting any change in current law, these outcomes have great importance because they allow the state to continue to ensure that students needing instruction in their native language are provided appropriate instruction and assessment. IDRA believes that all students should achieve full English proficiency and that bilingual and ESL strategies have been proven to produce these results.

Compensatory Education

Five percent of state compensatory education funding is set aside to finance the alternative to the retention program adopted as a pilot program in the previous legislative session. The alternative allows or is intended

to allow districts to provide accelerated instruction during the summer for students who otherwise would have been retained in grade. An unintended development has resulted in districts losing some state guaranteed money because of the effect of the earmarked funds that compensatory education set aside.

The conference committee resisted an attempt by the proponents to restore the lost Tier II money, in part, because the revenue had already been re-allocated by the appropriations committee to fund other state financed activities.

Districts that apply for and receive extended year program monies will recover the five percent set aside from this program.

All districts receiving compensatory education funding should be encouraged to provide accelerated instruction that allows students to perform at high levels and maximize the extent to which the resources are used to improve instructional services.

School Finance Formula

For the first time in a decade, the legislature made few changes in the state school finance formula. This was largely due to the recent court decision in *Edgewood vs. Meno* (Edgewood IV) in which the Texas Supreme Court ruled that the current plan meets state constitutional requirements.

Attempting to meet promises made by the defense in the court case, the legislature provided minimal increases in the level of state funding for public education. In the final bill, the basic allotment was increased from \$2300 to \$2387. The impact of the previous session's reforms on wealthy districts was delayed with the extension of hold-harmless clauses which, in essence, allow those districts to maintain their high per pupil expenditures for another two years.

Since they are based on a percentage of basic allotment funding, all weighted funding allotments - bilingual, compensatory education, gifted and talented, career and technology education (formerly vocational education) - were increased proportionally. Chairman William Ratliff has requested a study of weighted pupil factors (due to questions about the accuracy of the weights assigned to the various programs).

Textbooks

The new state education legislation allows school districts greater autonomy in textbook selection. Districts can select textbooks from three lists: a *conforming list* composed of books meeting state adoption

**PROPOSERS AND OPPOSERS
OF THE MEASURE SHOULD
MONITOR DEVELOPMENTS
CLOSELY AND HOLD SCHOOLS
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THE OUTCOMES.**

requirements and a *non-conforming list* consisting of books meeting at least one-half but not all of the essential elements for the subject or an *"open"* list which includes books that address less than 50 percent of the essential elements. Districts adopting books from the conforming and non-conforming lists will continue to receive full state support. In districts that opt to use books from the open list, the state will cover 70 percent of the textbook costs with state funds, and the local district will be responsible for the rest. The State Board of Education is directed to set a maximum price for which textbooks in particular subjects may be purchased.

Given the new parameters, it will be important to monitor the effects of the variations in textbook selections on student achievement, including the impact that such variations have on students transferring across districts.

"Safe" Schools - Discipline and Law and Order

The bill incorporates many provisions supported by various educator groups lobbying for greater authority to remove students considered to be disruptive from local classrooms and campuses and refer them to alternative educational placements. The bill provides for removal of students from classrooms based on violations of a code of student conduct. Procedures for appeals of teacher decisions are provided. Alternative education placements are required to be reviewed at the end of six-week grading periods. Local districts are *mandated* to provide alternative educational programs, and such programs must include placements in settings other than the student's regular classroom. The section also specifies that the curriculum in these alternative settings must include English, mathematics, science, history and "self discipline." Off campus

Points for Districts - continued on page 10

TEXAS PUBLIC SCHOOLS CHARTER PROVISIONS IN THE NEW EDUCATION CODE

Under Senate Bill 1, adopted by the 1995 Texas Legislature, local communities will be permitted to adopt one or a combination of three types of charter-based initiatives in their local public school systems: (1) conversion from current independent school district status to a **home-rule charter school district**, (2) establishment of **local campus or program charters**, and or (3) establishment of **open enrollment charter schools**. The following provides a detailed description of specific provisions related to the establishment and operation of the new charter schools.

Home Rule Charter School Districts

According to the legislation, districts can convert to home rule charter status through the local adoption of a home rule district charter. The legislation specifies that home rule charter districts:

- Are subject to federal and state laws and rules governing school districts;
- Are subject to all federal laws and applicable court orders relating to the eligibility for and the provision of special education and bilingual education programs; and
- Cannot discriminate against students who have been diagnosed as having a learning disability including dyslexia, attention deficit, hyperactivity disorder, or another behaviorally manifested learning disability. Discrimination prohibited by the subsection on home rule districts includes denial of placement in a vanguard or gifted and talented program if the student would otherwise be qualified for the program if the students had no learning disabilities. Furthermore, on the basis of race, socioeconomic status, learning disability and family support status, home rule districts cannot place students in programs other than the highest-level program necessary to ensure the students' success.

A school district's board of trustees *must* appoint a *charter commission* to frame a home rule district charter if (1) the board receives a petition requesting the appointment of a charter commission that is signed by a number of registered voters of the district equal to at least 5 percent of the number of votes received in the district by all candidates for governor in the most recent general election, and (2) at least two-thirds of the membership of the board adopts a resolution that a commission be appointed.

The charter that is developed must do the following:

- Describe the educational program to be offered.
- Provide that charter continuation is contingent on acceptable student performance and compliance with other applicable accountability provisions.
- Describe the specific basis upon which the charter may be placed on probation or revoked.
- Outline the governance structure.
- List procedures to be followed to ensure health and safety.
- Describe the process for adopting annual budget.
- List procedures for conducting annual audits of fiscal and programmatic operations.

Home rule charter school districts are excluded from all state laws and related rules, *but may not be exempted* from complying with the following:

- provisions relating to criminal offense;
- provisions related to limitations on liability;
- prohibitions, restrictions or requirements related to:
 - the Public Education Information Management System (PEIMS),
 - educator certification,
 - criminal history records relating to personnel,
 - student admissions,
 - school attendance requirements,
 - inter-district or intra-county district transfers,
 - elementary class size limits in the case of any campus in the district that is considered low performing,
 - high school graduation requirements,
 - special education programs,
 - bilingual education programs,
 - pre-kindergarten programs,
 - safety provisions related to transportation,
 - computation and distribution of state aid,
 - extra-curricular activities,

- health and safety rules under Chapter 38 of the Texas Education Code,
- public school accountability,
- equalized wealth limitations,
- bond or tax obligations, and
- purchasing under V Chapter 44 of the new education code; and
- The home rule charter must be submitted to a vote of the people, adoption requires approval by a majority of persons voting in the election, and voter turnout for the charter election must include at least 25 percent of all registered voters in the district.

Campuses or programs within campuses can also adopt charters.

Campuses or Program Charters

Local districts, whether operating under home rule charters or as independent school districts, may grant local charters to campuses or programs based on campuses in the local school district. Campus or program charters may be granted if the board receives a petition signed by either parents from a majority of the students at that campus or a majority of the school's classroom teachers.

The content of the campus or program charter must do the following:

- Describe the educational program to be offered.
- Provide that charter continuation is contingent on acceptable student performance and compliance with other applicable accountability provisions.
- Specify the basis upon which the charter may be placed on probation or revoked.
- Prohibit discrimination in admissions on the basis of national origin, ethnicity, race, religion and disability.
- Describe the governance structure.
- Specify procedures to be followed to ensure health and safety.
- Describe procedures for conducting annual audits of financial and programmatic operations.

Campus and program charter operations are excluded from all state laws and related rules but may not be exempted from complying with the following:

- Provisions relating to criminal offense;
- Provisions related to limitations on liability; and
- Prohibitions, restrictions or requirements related to:
 - PEIMS,
 - criminal history records relating to personnel,
 - high school graduation requirements,
 - special education programs,
 - bilingual education programs,
 - pre-kindergarten programs,
 - extra-curricular activities,
 - health and safety rules under Chapter 38 of the Texas Education Code, and
 - public school accountability.

Areas in which school districts may not be exempted but local campus or program charters *may be exempted* include the following:

- educator certification requirements,
- student admissions requirements,
- student attendance requirements,
- intra-district or intra-county transfers,
- elementary class size limits, and
- safety provisions relating to transportation.

In campus or program charters, admission eligibility criteria must give priority to geographic and residency considerations and give secondary consideration to students' age, grade level or academic credentials in a general or specific area.

Open Enrollment Charter Schools

The State Board of Education can approve up to 20 open-enrollment charter schools, and these can be in any school district in Texas. These schools can be operated in a facility of a non-profit or commercial entity or in a school district. They are to be selected from applications submitted directly to the State Board of Education. No local voter approval or school board approval is required.

Entities eligible to operate open enrollment charters are limited to public institutions of higher education, private or institutions of higher education, non-

profit 501(c)(3) organizations, and government entities.

An open enrollment charter school shall do the following:

- Provide instruction for students at one or more elementary or secondary grade levels.
- Be governed in whatever form is specified in the charter.
- Retain authority to operate under the charter contingent upon satisfactory performance.
- *Not have authority* to impose taxes.

Open enrollment charter schools are excluded from all state laws and related rules, but may not be exempted from complying with the following:

- provisions relating to criminal offense;
- provisions related to limitations on liability; and
- prohibitions, restrictions or requirements related to:
 - PEIMS,
 - criminal history records relating to personnel,
 - high school graduation requirements,
 - special education programs,
 - bilingual education programs,
 - pre-kindergarten programs,
 - extra-curricular activities,
 - health and safety rules under Chapter 38, and
 - public school accountability.

Open enrollment charter schools are part of the public school system of this state.

Open enrollment schools are entitled to funding from the state's available school fund, foundation school program state aid including transportation funding, plus local school district tax revenue raised in the district in which the enrolling pupils reside. They are not permitted to charge more than their tuition rate plus the per pupil revenue from the available school fund per student.

The contents of the open enrollment charters must:

- Describe the educational program to be offered.
- Describe the period for which the charter is valid.
- Provide that charter continuation is contingent on acceptable student performance and compliance with other applicable accountability provisions.
- Specify the basis upon which charter may be placed on probation or re-

voked.

- Prohibit discrimination in admissions on the basis of national origin, ethnicity, religion, disability, academic or athletic ability, and the district which the student would have attended (does provide for exclusion of students based on history of criminal offense or discipline problems).
- Describe the grade levels to be offered.
- Describe the governance structure.
- Specify the qualifications to be met by professional employees.
- Describe the facilities to be used.
- Describe the geographic area to be served.
- Describe enrollment procedures.

In addition to the establishment of charter school districts, campuses and programs, SB 1 expands the opportunity for students in low-performing campuses to transfer to nearby public school districts under the provisions of the new public education scholarship program.

Public Education Grant Program

The legislature also adopted provisions that allow students to transfer from their home district to any other public school in Texas. The public education grant program is limited to students who attend low-performing school systems, defined as school districts where fewer than 50 percent of the students perform satisfactorily on an assessment instrument administered under state's accountability system (TAAS). Under the public education grant program:

- Students attending low-performing school systems can transfer to any other public school.
- All state funding and 80 percent of local funding follow the student to the new campus.
- Sending school districts must provide transportation only to the school which the student would attend.

With this move, Texas joins many other states that are looking for ways to improve schools. How these so-called innovations for deregulation will impact students who historically have not been well-served by the education system remains to be seen. It will be crucial that advocates of educational improvement for all children monitor these new experiments closely.

alternative educational placements are not subject to limitations or liabilities under the education code other than the requirements related to assessment and accountability. No reporting of the number or types of students placed in alternative educational settings is required.

Student advocates must monitor closely the effects of these provisions to assess (1) the extent to which they contribute to removal of students from regular classrooms and (2) whether or not there are disparities in the types and levels of referrals practiced in schools and districts across the state. While the state does not require reports on local alternative education placements, communities should request that such information be included in local district performance reports.

Educator Salaries, Rights and Certificates

The bill provides for an increase in the minimum salary schedule. Primary beneficiaries will be new teachers, teachers currently being paid at minimum levels, and those on the upper end of the experience scale. The extent to which the increases are "passed along" by local school districts cur-

rently paying above the state minimums remains a local option.

While making some small gains in salaries, teachers lost in the establishment of charter schools. Home-rule districts, campus and open enrollment charter schools are exempted from most state requirements including minimum salary requirements and most educator rights provisions. Charter schools are exempted from the 22 to one student to teacher ratio requirements except in schools identified as low performing.

While increasing minimum salaries is particularly important to teachers in schools paying minimum salaries, advocates for providing adequate salaries for *all* educators should monitor the extent to which the increase in the salary schedule promotes parity in salaries across school districts. Significant changes relating to teacher certification were also made in the legislation. Local school districts can grant their own teacher certificates to anyone with a bachelor's degree; the commissioner of education can veto these certificates, and they are non-transferable to other districts.

Parent Rights and Responsibilities

The legislation includes a section ad-

ressing parent rights with issues such as access to student records and access to state assessment instruments. Additional rights that are addressed include the right to request - with the expectation that the request will not be unreasonably denied - the following: that a specific academic class be offered if sufficient interest in the class makes it "economically practical," that a student be permitted to attend a class above the student's grade level unless the board expects that the student will not perform satisfactorily, and that students be permitted to graduate earlier than they normally would have if they complete course requirements.

Parent involvement in education has long been recognized as a key to student success. Parent rights advocates should monitor the extent to which these changes lead to increased participation in different communities and what mechanisms are put in place that foster (or inhibit) parent participation.

No Pass-No Play

The legislation revises the controversial no pass-no play rule. It shortens the suspension from extra-curricular activities to three weeks, and it allows the students to continue to practice during the probationary period.

Conclusion

While highlighting key aspects of the legislation, this summary does not address the hundreds of other changes incorporated in the most comprehensive change to Texas education law in almost 50 years. It may be many months, and in some cases years, before all of the ramifications of these changes are recognized. While it is ambitious and comprehensive, many people question whether or not the numerous wholesale changes incorporated into SB 1 will truly improve the quality of schooling for the 3.4 million students in Texas public schools. Proponents and opponents of the measure should monitor developments closely and hold schools and state officials responsible for these "reforms" accountable for the outcomes.

IDRA is committed to examining the effects of this legislation and to using the information to guide future efforts to create schools that work for all children.

Dr. Albert Cortez is the division director of the IDRA Institute for Policy and Leadership. Mikki Symonds is a research assistant in the IDRA Division of Research and Evaluation.

DID YOU KNOW?

"Thirty-one states either currently have or are considering charter school laws.

- The six states that have "strong" charter school laws* include: Arizona, California, Colorado, Massachusetts, Michigan and Minnesota.
- The six states that have "weak" charter school laws** are: Georgia, Kansas, New Mexico, Texas, Wisconsin and Wyoming.
- The 19 states that are considering charter school legislation this year include: Alaska, Connecticut, Delaware, Florida, Idaho, Illinois, Indiana, Louisiana, Missouri, Nevada, New Hampshire, New Jersey, Ohio, Oregon, Pennsylvania, South Carolina, Virginia, Vermont and Washington."

*Large percentage of charters may be granted; some may go to new schools, applicants selected from an entity other than local school boards; waivers from state and local rules.

**Limited exceptions such as rules allowing only existing public schools to seek charters; decisions by school boards seek approval from local school boards; restrictions on the number of charters; local or inadequate regulatory-waiver authority.

Center for Policy Studies, University of Minnesota May 1995

"Charter schools tend to benefit students in middle-class, mostly White communities. Undoubtedly, districts would not have approved charter proposals that were blatantly discriminatory, sectarian or inaccessible to most students. However, in our brief examination of 20 charter proposals in three districts, our questions about access to educational opportunity are reinforced."

UCLA researchers Cynthia Grutik, Debra Bernal, Diane Hirshberg and Amy Stuart Wells. Reported in *Education Week* May 3, 1995

SOME THOUGHTS ON THE LEGISLATURE'S ATTEMPTS TO IMPROVE PUBLIC SCHOOLS IN TEXAS

Albert Cortez, Ph.D.

After 20 years of monitoring developments in state legislation in Texas, after hundreds of hours of sitting in House and Senate education committee meetings, and after extensive opportunities to interact with law makers in formal hearings and informal deliberations on proposed legislation, I am still amazed when so many state legislators who are trying to do the "right things," end up looking in the wrong places.

Senate Bill 1, is full of well-intended changes that will likely lead to very little improvement in the performance of students in Texas public schools. Like the misguided individual looking for the lost dollar under the street lamp even though the dollar was lost in the dark park across the street, influential members of the legislature promoted and adopted reforms that will not help most students in most schools.

Reforms to establish home-rule charter school districts, campus charters and open enrollment schools, adoption of public school vouchers, expanded textbook options, enhanced opportunities for removal of students from classrooms, may help a few enterprising communities attempt innovations and improve the performance of a small group of students who may or may not have been impacted by state laws and regulations. But state laws and regulations, despite the howl and cry of some schools, *were not and are not the cause* of schools' failure to educate effectively many of the state's students. Perhaps the opportunity to circumvent state requirements will help put to bed the myth perpetuated by some that deregulation of schools will, by itself, create a miracle of self renewal in public education.

Based on research and experience, here is a likely scenario: Charters will not help the majority of low-income, minority and limited-English-proficient (LEP) pupils achieve better, nor will open enrollment schools provide the panacea for improving the performance of students who remain in low performing campuses. Greater flexibility in local textbook adoptions will not result in great gains in student achievement, and the banishment of some students from some classrooms will not result in any notable gains in the test scores or grades of students either those students who are

removed or students who remain in those "safer" classes. The meager salary increases offered to beginning teachers will not lead to a great influx of the "best and brightest" into teacher preparation programs, and the token increases in funding and the band-aid provided to support school construction will not even allow schools to pay for the many new unfunded mandates that have been incorporated into the new legislation.

Critics of this latest attempt at reform have been accused of being unfairly cynical of the changes reflected in SB 1, of "fearing change" of the status quo, of being overly dependent on mandates and compliance requirements. Proponents of the many changes in state law use arguments like: "Let us try something new. Let us experiment with something different. Give our new ideas a chance to work. At best, we may succeed; at worst, we will know what does not work, and we can use that knowledge to try something else in the future."

Advocates for children object to these proposed "grand experiments" because of our concern for the welfare of all children and the understanding that our failures are transferred to the students attending schools who have been and will continue to be (despite SB 1's so-called reforms) unsuccessful. And who will pay for these failures? Not the legislators that forced the reforms over many of their own colleagues' objections, not the teachers, administrators and school board representatives crying to be freed from "excessive regulation," it will be the children and the families for whom the reforms do not work who will pay. And the state as a whole will pay eventually in the form of under-educated citizens, lost wages, and a host of state subsidized support services.

What reforms *should* be considered? Increasing the equity in educational resources available to *all* students - although closer to reality now than in the past - still remains a promising reform. This would also allow us to see where revenue is best allocated to produce maximum results. Providing funding to help communities provide adequate educational facilities would also contribute to producing better student outcomes. Redesigning teacher and administrator prepa-

ration programs to better equip our educators to address the diverse needs of Texas' student population would also help. Holding schools accountable for producing acceptable educational outcomes for all students will contribute to the goal of improving the achievement of all pupils.

**ALL PARENTS WANT THE BEST
FOR THEIR CHILDREN AND WILL
COOPERATE IN SUPPORTING
SCHOOLS THAT PRODUCE GOOD
RESULTS FOR THEIR CHILDREN.
SB 1 DOES LITTLE TO EXPAND
THESE POSSIBILITIES.**

As an organization, IDRA has long been an advocate of systemic reform. For systemic reform to work however, the process must be inclusive and reflect involvement by all major stakeholders, beyond those who frame state educational policy in state (or national) capitols. These key stakeholders include teachers, administrators, parents, community leaders and advocates of children who are low-income, limited-English-proficient or minority. Those constituents did not have the opportunity to participate substantially in the original development and drafting of Senate Bill 1. They did not originate, nor were they asked to share concerns regarding the ideas behind home-rule charters, private school choice proposals/open enrollment schools, non-regulated textbooks, removal of student from classrooms, or the level of funding that should be provided for teacher salaries. They could only react to what was being proposed by others. Even those who traditionally participated in the policy making process, minority legislators, validly questioned the decision-making process used to frame the bill and asked: "Are we the one's that are always wrong? Isn't it possible that we might be right about some issues? Is it conceivable that our reservations expressed about charter schools and voucher programs might be

Some Thoughts - continued on page 20



Lucy Windham

How FEDERAL POLICY IMPACTS My CLASSROOM

The reason that I am in bilingual education today is the bilingual child. From the first day that I walked into a class about the needs of bilingual students, I was hooked—not on phonics, but on bilingual education. I sat in class and listened to the students tell their individual horror stories of being in schools without the benefit of bilingual education. I could picture in my mind that lonely child begin stuck over in a corner of the room to draw or to color all day long because there was no teacher who could understand or could speak the child's language. I decided then that I would do everything that I could as an educator to help "that" child. I would be that child's advocate.

In 1968, the rights of limited-English-proficient students were addressed through the passage of the Bilingual Education Act as an amendment to the Title VII Elementary and Secondary Education Act of 1965. These rights were further clarified by *Lau vs. Nichols* (1974) that stated, "There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers and curriculum...students who do not understand English are certain to find their own classroom experience totally incomprehensible and in no way meaningful" (Gonzales, 1994). The reauthorization of the Bilingual Education Act brought renewed hope for more students to be helped by a clearer definition of the rights and privileges with the Improving America's Schools Act section of Title VII.

I have witnessed much growth in this area in relation to my students being better served. The Title VII funded programs mandated that a certified bilingual education teacher be in the classroom for the development of English and the academics. Due to federal policy, *I can serve in that capacity*. I have been a teacher of bilingual education and English as a second language (ESL) for the past eight years.

Watching a child enter school at the first of the year with little or no English speaking ability, totally lacking in self confidence and thinking that he or she did not belong in this setting dictated a challenge of gigantic proportions. However, at the end of the year, to acknowledge the difference in that child's life is nothing less than a miracle. I have witnessed the child go from that insecure, frightened boy or girl to become one who is self confident, secure, conversationally fluent and well on the way toward developing productively in the content areas of study.

This all happened as a result of federal policy impacting the classroom. Research has shown that a child who is taught basic skills in his or her first language will have transference abilities to the second language. Research further reveals that it takes five to seven years to become totally fluent in that second language. Had federal policy not dictated bilingual education, then my classroom would not have been and would not be in existence today.

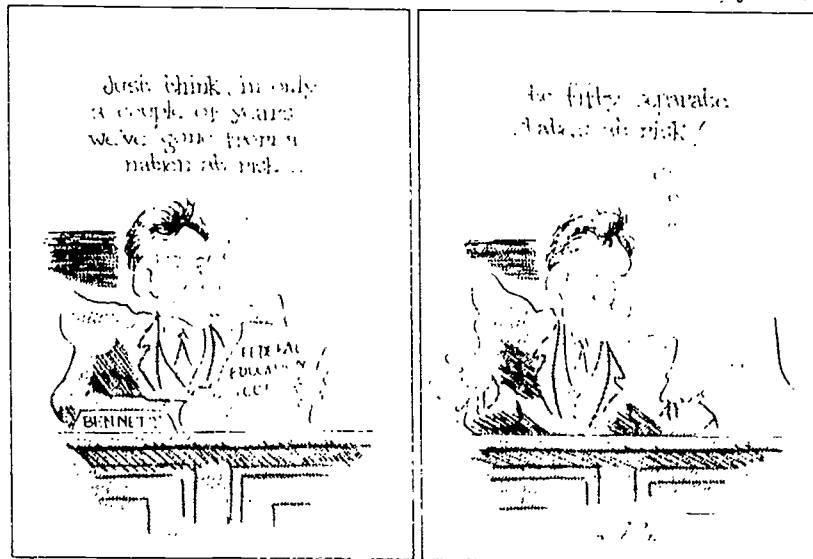
With a new legislature in place this year, I see a different federal policy emerging. One that is reversing itself and going back in time. How can legislators so carelessly plan to snip and cut away at the very lives of their children? At a most crucial time in the history of our nation where a search for educational excellence is a Number One priority, can we afford to back-track? President Clinton, in his support of the Goals 2000 agenda, calls for emphasis to be placed on quality education for all children. How can small children learn or come to school ready to learn when their *language* is being pulled out from under them?

With cuts from 25 percent to 50 percent in programs that affect bilingual/ESL classroom students, who is going to help them learn if they do come ready? Are the policymakers just thinking about dollars and cents and forgetting about the real world of teachers, students and children? Who am I going to teach? Are we going to put that child back in the corner?

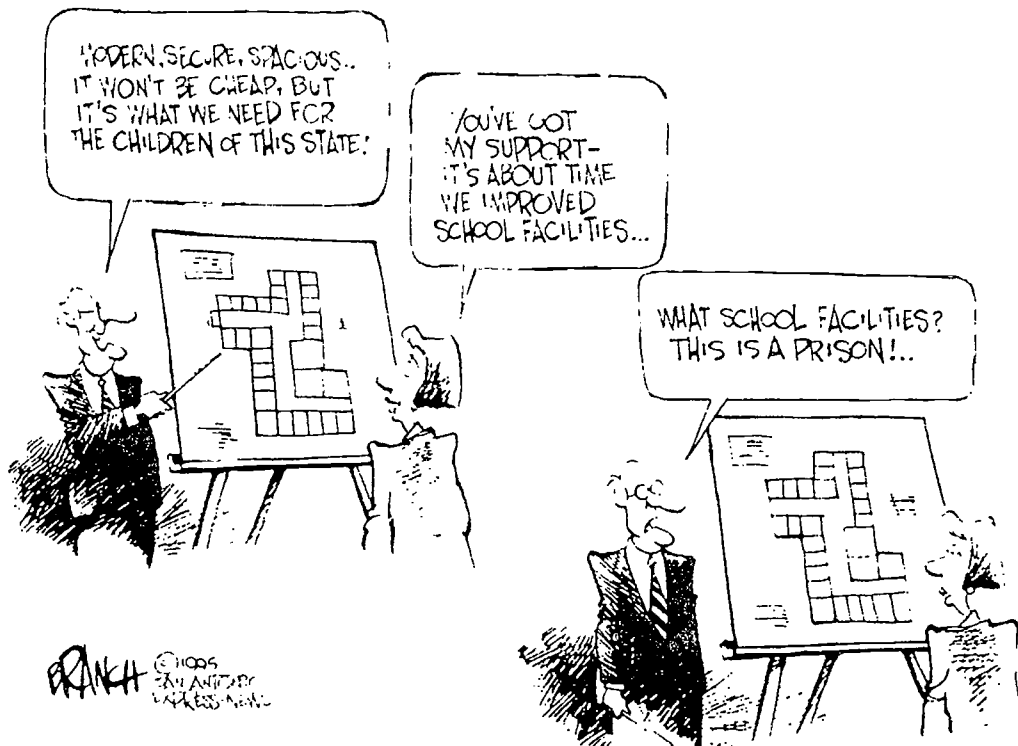
Lucy Windham is a bilingual education teacher at Jowell Elementary in Houston, Texas, and is a fellow at Sam Houston State University

Pett Peeves

by Joel Pett



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Reprinted with permission from the cartoonist, Frank Branch, San Antonio Express-News



Reprinted with permission from the cartoonist, Lalo Alcaraz. It appeared in *El Jirón*.



The trouble with myline teachers is that all they want to talk about is children."

Reprinted with permission from the cartoonist, Greg Dwyer.

SPOTLIGHT ON PARENT INVOLVEMENT

One constant element in student achievement is parental involvement. Research and analysis of the past 15 years conclusively demonstrate that when parents are involved in their children's education, children do better in school, and the schools do better, too. IDRA believes that parents are intelligent and want the best education for their children. Parents of all socio-economic levels and all cultural groups can participate meaningfully in their children's schools. They can act as a driving force for innovations that improve the education of their children. IDRA helps parents and schools examine ways in which they can make a difference in their students' academic success.

IMPACT: A MODEL FOR SCHOOLS TO PROMOTE PARENT ADVOCATES FOR CHILDREN AND CHANGES

Ninta Adame-Reyna, M.A.

What does "parent involvement" really mean? For parents, it means the many things that they can do to have a positive influence on their child's education. For schools, it means assisting parents in creating a good learning environment in the home and assisting parents in working with the school to assure that their children are getting the best education there too. Too often, school personnel seem to forget that the parent is, after all, a child's first teacher.

make the difference between the child who completes school and the one who does not.

Often people find it hard to believe that parent involvement can make such a difference. Some critics argue that parents who did not graduate from high school, who were not "good" students or who do not speak English well cannot contribute. But assumptions such as these are really what hinders effective parent involvement. Along with these assumptions about supposed de-

parent involvement is a requirement, creating schools that actively involve parents has many rewards. Active parental involvement impacts the parent-child relationship and the school-home relationship and has a long-lasting community impact. The difference however is placing emphasis on *active* versus *passive* parental involvement. Parents do not become advocates for children through passive involvement.

Most parents do not know how they

1989).

Parents and school personnel have a responsibility to protect children's rights to equity and excellence in education. Parent involvement can make the difference between a child who likes school and one who does not and between a child who does well in school and one who does not. But more importantly, a parent's involvement can

come an effective advisor, audience member, school program supporter, co-learner, advocate or decision maker. Creating better education for children requires the involvement and commitment of many people. Of all those involved in the process, parents can be your strongest force in school change.

Beyond the fact that in many federal-ly-funded and state-mandated programs,

more actively involved in school change.

The IDRA IMPACT Model

Becoming an actively involved parent does not happen overnight. In IDRA's *Hispanic Families as Valued Partners: An Educators Guide*, the authors note that taking a parent from a passive involvement to an active involvement involves knowing your parent community, knowing the needs of your student population and the school (see box at left), and bringing this knowledge together through a series of activities (Robledo Montecel, et al., 1993). This is the first step to active parent involvement. Once you have gathered this information, your next step to decide how to meet those needs.

IDRA has developed a model for a school structure that involves parents (see box on next page). The IMPACT (Involving Minority Parents and Administrators through Comprehensive Fraining) model, discussed in detail in the *IDRA Newsletter* in the September and November 1990 issues, recognizes the important contributions of parents in the educational process (Barnwell

NEEDS ASSESSMENT METHODS

	Advantage	Disadvantages
Surveys	Can be used to quickly assess whether the program is working or not for parents.	Not all parents are able to read.
Focus Groups	A small number of parents can represent the entire parent community.	All parents may not be fairly represented.
Group Meeting	All parents are invited and feedback is provided through discussion.	Large groups (over 25) may interfere with comprehension.
Pre- and Post-Tests	Immediate feedback is provided after the intervention.	Not all parents are able to read

IMPACT - continued on page 15

and Villarreal, September 1990; November 1990). It also denotes the school's responsibility to create a positive climate that is conducive to quality interaction between parents and school personnel.

Phase I: Awareness

In this phase, parents are introduced to information about issues that parents must be aware of to become advocates of children. For example, in the area of accountability, how many parents are aware of the following?

1. *Using standardized tests as the only measures causes problems because:*
 - Averages can hide important information.
 - Tests only test part of what students need to learn.
 - Teachers often "teach to the test."
 - Schools and teachers work under different conditions.
 - Test results often come in too late for adjustments to be made.
2. *Top-down approaches of instruction usually do not work because:*
 - Students learn differently, they need different teaching methods and materials.
 - Different schools and communities have different values and customs.
 - Not all problems can be anticipated, even by experts.

3. *Site-based decision-making, the newest method of holding campuses accountable, often does not work because:*

- Some principals and superintendents do not want to give up their power.
- Teachers and other school staff do not know how to work as a team.
- Parents, teachers and others may not understand the issues and so make poor decisions based on personnel preferences and prejudices.

This information on accountability is an example of the type of information that can be presented to the parents in this phase. However, there are countless other issues that are appropriate and important to cover. Establishing the knowledge base is critical to creating a force for school change. Organizations like IDRA can give you information for parents on school reform issues.

Phase II: Skill Development

In this phase, the focus is on developing skills in using the newly acquired information. Parents become familiar with techniques for imparting their knowledge. Parents become familiar with brainstorming techniques and types of decisions that groups need to make. Parents and administrators begin to cooperatively plan their improvement efforts or develop a plan of action. Without skill development, no amount of newly acquired information is going to be useful to the parent or the school. There must be structure, procedure and policy for imparting information in place if the utmost effectiveness in change is to be achieved.

niques for imparting their knowledge. Parents become familiar with brainstorming techniques and types of decisions that groups need to make. Parents and administrators begin to cooperatively plan their improvement efforts or develop a plan of action. Without skill development, no amount of newly acquired information is going to be useful to the parent or the school. There must be structure, procedure and policy for imparting information in place if the utmost effectiveness in change is to be achieved.

Phase III: Application

In this phase, parents are provided opportunities to develop leadership skills that include presenting a concern to a PTA group or another group of parents or educators and presenting ideas and opinions to local boards of trustees or local council meetings. Participation in the site-based decision making council is a perfect vehicle to get your parents involved in this phase.

Making a Difference

This model encourages parents to meaningfully participate in school-sponsored committees involving school reform strategies. It provides parents with comprehensive training skills ranging from building a knowledge base about educational issues to application of that knowledge to practical situations within the school and other educational forums. It also helps school personnel see parents as capable instead of as deficient.

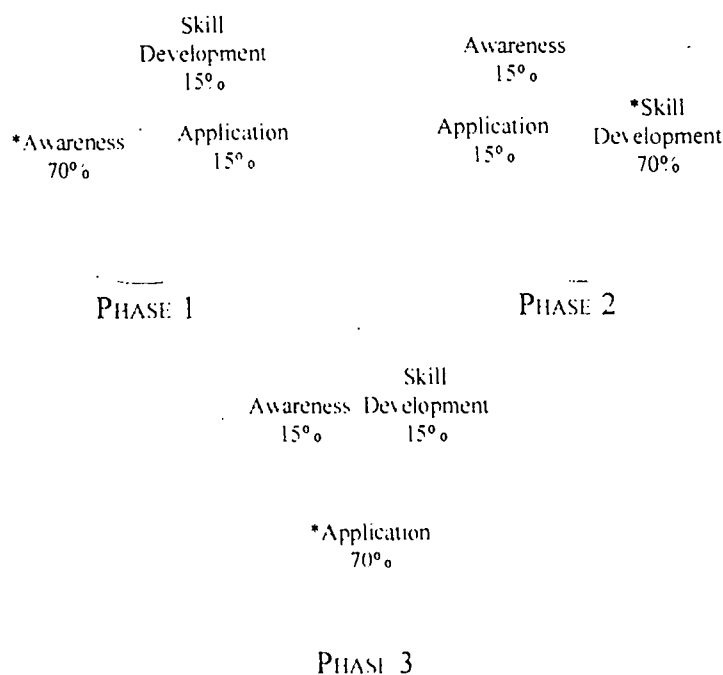
Parent training requires a long-term commitment from everyone. Changes will not occur overnight. As this model illustrates, the training process is one of understanding your audience members and their needs, a process of teaching, integration and opportunities for application of the newly acquired knowledge. Assisting parents in becoming advocates for children requires a great deal of work, however the rewards are tremendous and well worth it for you, the parent and, above all, the children.

Resources

Barnwell, J. and A. Villarreal, "How Do You Effectively Teach Chapter I Students? Strong, Successful Parent Involvement Programs Help," IDRA Newsletter (San Antonio, Texas: Intercultural Development, 1990).

IMPACT - continued on page 17

IMPACT LEARNING PROCESS: TYPES OF ACTIVITIES PRESENTED IN EACH TRAINING PHASE



An effective training program includes activities from each of the three phases but varies the amount from each phase to coincide with the parents' experience and knowledge of the topic.

SPOTLIGHT ON TECHNOLOGY

Appropriate uses of technology give us a new opportunity to provide excellent education for *all* children. With this opportunity, the learning process can be transformed so that students truly are the center of the learning process. Student needs, characteristics and cultural diversities can then become part of that center; classrooms can be places to learn, more than places to teach. Technology can also transform the way schools operate. Student progress can be assessed in new ways. Schools and families can communicate with each other more effectively. Programs can be evaluated quickly and accurately. IDRA is helping teachers and administrators design ways of utilizing emerging technology to make schools work for *all* children.

TEACHERS AND PARENTS SURF THE INTERNET: FINDING BOARDS AND CATCHING LA ONDA

Mikki Symonds, M.A.

New experiences hold promise and peril, which explains why *finding the board*, *catching the wave*, and *keeping balance* in electronic networking can spark visions of great possibilities as well as visions of great confusion, irritation and even tedium. IDRA views technology such as electronic networking as a means to build advocacy, to share expertise and to solve problems within and outside of organizations. Electronic networking can also enhance individual school

mented this project in two publicly-funded sites (the Margarita Huantes and Columbia Heights Learning and Leadership Development centers) and two privately-funded sites (Bazan and Collins Gardens Project Learn to Read centers). The two privately-funded

SOME INTERNET PLACES OF INTEREST

Department of Education Satellite

sites are housed in public libraries and use unpaid volunteers.

Three objectives drive the project's operation: for participants to acquire life and literacy skills, to establish an electronic network among the eight adult educators and 50 adult learners participating in the project, and to develop a replication guide of SALNET's curriculum and implementation. A process approach to writing that helps adult learners explore topics of inter-

dress their interests through a dialogue with others.

To interact with others through electronic networking, people generally either use E-mail or they access a bulletin board, a space where people can read other persons' comments on specific topics and add their own ideas. People can find out E-mail addresses by reading them on a home page (text and graphics that organizations and people place on the Internet to advertise what they do or sell), receiving them from people directly, or using a "gopher" to do a subject search. E-mail allows one-to-one, and sometimes simultaneous, communication. Bulletin boards provide persons the opportunity to read what many other people say and contribute their own thoughts to the discussion.

IDRA's Literacy Network

IDRA's San Antonio Area Literacy Network (SALNET) provides an excellent example of using electronic networking to enhance an educational project. Since December 1994, with funding from the Texas Education Agency (TEA), IDRA has imple-

Internic Information Services (IIS): collects, maintains, and distributes information about the Internet and provides assistance to networking end users.

I: Info.a-Internic.net

Electronic Frontier Foundation (EFF): focuses on policy issues related to national networking.

E: EFF.a-EFF.org

Latino-L: to foster communication between Latino students across the country (from Our Lady of the Lake Newsletter).

M: Latino-lrequest@amherst.edu

International Society for Technology in Education (ISTE): the largest international nonprofit organization dedicated to the improvement of education through the use and integration of technology.

E: ISTE@uoregon.edu

G: iste-gopher.uoregon.edu

ing three phases that have different foci but similar activities. The three phases of training and instruction focus on: (1) the writing process; (2) word processing to enhance the teaching of writing; and (3) telecommunications (modem, graphics, database and spreadsheet usage) as venues for students' writing.

IDRA staff conduct workshops that address topics specific to the three phases for the adult educators. The educators participate in curriculum planning sessions where they design how they will teach the new literacy and technology skills they practiced in the workshop sessions.

Using the SALNET network offers the adult learners at the participating literacy centers substantial benefits such as those that have been documented elsewhere (Levin, et al., 1987; Cohen and Riel, 1989). They advance their grammatical skills, improve the ability to write toward particular audiences, and increase biliteracy (if they know more than one language). The network provides an "anonymous" feedback loop, which allows the students to take greater

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Surf the Internet - continued from page 16

risks in critiquing and greater ease in receiving comments (and more confidence in writing) because they do not have to confront each other about their comments or writing. In addition, students learn how to use the networking and word processing software, which increases their job skill knowledge.

Education Information on the Internet

Teachers and parents can contact organizations that have information concerning education through the Internet. For example, the National Academy of Sciences offers electronic bulletin boards and live "chat sessions" as well as an "interactive bookstore" through NAS Online. People can access NAS Online through America Online under the categories "education," "clubs and interests," or "NAS."

IDRA also has several addresses on the Internet where people can direct questions about a variety of topics, including specific IDRA projects and programs. Other examples include, the U.S. Department of Education which offers "INET" and "Online Library" at the E-mail address inetmgr@inet.ed.gov. The National Clearinghouse for Bilingual Education's (NCBE) Internet gopher offers access to instructional resources, publications and articles. The address is: gopher.ncbe.gwu.edu. Other NCBE online services include a Majordomo list server: majordomo@cis.ncbe.gwu.edu; a question answering service: askncbe@ncbe.gwu.edu; and toll-free bulletin board service: 800-752-1860. The Outreach and Technical Assistance Network (OTAN) offers course outlines, curricular resources and educational software. The address is: gopher.scoc.otan.dni.us.

Keeping informed about practices, debated legislation, and state and national expenditures and educational foci afford opportunities to make more informed votes and engage in constructive debate.

Resources

- Montes, Felix. *IDRA Newsletter* (San Antonio, Texas: Intercultural Development Research Association, May 1992).
- Cohen, M. and M. Riel. "The Effect of Distant Audiences on Students' Writing." *American Educational Research Journal* (1989), 26:143-159.
- Levin, J., Riel, M., Miyake, N., and M. Cohen. Education on the Electronic Frontier: Teleapprentices in Globally Distributed Educational Contexts. Report No. 14 (La Jolla, Calif.: Center for Human Information Processing, University of San Diego, 1987).

Ja Symonds is a research assistant in the
A Division of Research and Evaluation.

IMPACT - continued from page 17

- Development Research Association, September 1990), pp. 1-6.
- Barnwell, J. and A. Villarreal. "Implementing the IMPACT Model for Chapter 1 Parents." *IDRA Newsletter* (San Antonio, Texas: Intercultural Development Research Association, November 1990), pp. 7-12.
- Pell, Elena, et al. "Making the Most of Your Child's Education. A Guide for Parents." Prepared for the ASPIRA Hispanic Community Mobilization for Dropout Prevention Project. (Washington, D.C.:

ASPIRA Institute for Policy Research, 1989), p. 13.

Robledo Montecel, Maria, et al. *Hispanic Families as Valued Partners. An Educator's Guide*. (San Antonio, Texas: Intercultural Development Research Association, 1993).

Texas Education Agency. "Parental Involvement: A Framework for Texas Schools" (1990).

Ninta Adams-Reynard is an education associate in the IDRA Division of Professional Development.

WE NEED THE FEDERAL GOVERNMENT IN EDUCATION

At this writing, the appropriations process in Congress has just begun, and the picture is not pretty... One cannot fault the new leadership in Congress for doing what they said they would do, but one can be legitimately critical of the priorities they have set in doing it. There are two major problems with how the cuts look so far. The first and most serious problem is that a high percentage of these reductions are being made in programs that benefit the poorest children. Few things were sadder than the specter of the appropriations subcommittee transferring a \$105 million cut in Head Start to Title I.

The federal role in education, historically, has been to ensure that our most vulnerable youth receive the same access to a quality education as that enjoyed by wealthier children. The goal underpinning that history can be questioned, but let's be clear that the federal government is involved in the education of poor [people] because the states failed to do so. Are the states ready to pick up the difference in they are given the authority and funds through block grants? I do not think so. There is little indication that states as a whole are redistributing their education revenues toward the poorest schools. In fact, it usually takes wrenching lawsuits filed in state after state to make that happen. Let's also remember that as recently as last year, states and others fought to ensure that "opportunity-to-learn" standards did not go so far as to actually force them to do anything.

We might not need a Title I program, an Individuals with Disabilities program or bilingual education program - the foundations of the historic federal role in education - if the states had done, were presently doing or promised to do for children what these programs do. When states meet that responsibility, then we can ask whether or not we really need the federal government in the education business. Until then, the answer to that question is an overwhelming "yes." And we continue to need those federal programs to target resources on the neediest children and schools.

The second problem involves raw politics. It is understandable that "to the victors go the spoils." It is an age-old political and military tradition. But there is also such thing as being a bad winner. The plundering of these education programs for poor children fits this description. There was very little thoughtful attention given to the effects of the cuts. Rather, it appears more that they were made to programs with the smallest or weakest constituencies, or to programs initiated by the administration. In the Washington game of maneuvering for political advantage with each election cycle, it is unfortunate that the needs of children become fodder in the battle.

One more time: education is in the national interest, not the Democratic or Republican interest. And as Education Secretary Riley is so fond of saying, "The children may be only 20 percent of the population, but they are 100 percent of the future." Federal education programs were not devised as a faddish or political response to a non-existent problem with a population who can't vote. These programs made sense when they were formed, and with each reauthorization they make even greater sense now.

Michael Caserly, executive director, Council of the Great City Schools. Reprinted from *Urban Educator*, March 1995, with permission.

COCA-COLA VALUED YOUTH PROGRAM BRINGS TOGETHER TUTORS, PARENTS AND TEACHERS

Linda Cantú, M.A.

The Intercultural Development Research Association sponsored the Fifth Annual Coca-Cola Valued Youth Program National Training Seminar and Valued Youth Conference in April 1995. For the second year in a row, the Coca-Cola Valued Youth Program sponsored the participation of one teacher, tutor and parent from each of the 25 participating programs. The 150 participants came from Texas, California, Florida and New York.

During the national conference, teacher coordinators from each Coca-Cola Valued Youth Program site shared their experiences and discussed ways to enhance their individual programs. This year, IDRA asked some teacher coordinators to share innovative ideas they use in their schools that make their Coca-Cola Valued Youth program so successful.

The tutors who attended the conference acted as representatives of their schools. Mayor Nelson Wolff welcomed the tutors at a special session held at the San Antonio City Council Chamber. He declared the day, April 20, to be Coca-Cola Valued Youth Day. He presented the program and the tutors with a city proclamation. The Coca-Cola Valued Youth tutors then toured downtown San Antonio.

Throughout the three days, tutors participated in team building and leadership activities. They learned that whether they are from California, Florida, New York or Texas, they share a common interest and cause as tutors. They talked about how their experiences as tutors had made them better

students and had given them a sense of responsibility.

"It's not just about going and teaching them. You go out there and you help them, not just with their schoolwork, but with their lives, their feelings," tutor Javier Chaves of San Antonio told the audience. "We are the future here, but we are also teaching the next generations," he said.

On the final day of the event, a luncheon was held to honor the Coca-Cola Valued Youth tutors. Alfred Ramirez, the director of the White House Initiative on Educational Excellence for Hispanic Americans, delivered the keynote speech. He told the participants that everyone has a story and that they should always be prepared to learn.

"Everyone in this room is now hereby obligated to share what you know," he said. Ramirez described some people as the "walking wounded" because someone told them they can't, and they believed it. He said, "Whenever you find yourself making excuses about why you can't, you better stop in your tracks."

Calling the Coca-Cola Valued Youth tutors "heroes," he concluded, "Be proud of who you are; be proud of your culture."

For the second year, parents were invited to participate in the conference. This emphasizes the importance IDRA places on parental involvement. Both years parents have demonstrated an enthusiasm and interest in what their children are doing in school. The Coca-Cola Valued Youth parents confirm that they are ready and willing to partic-



Parents tell guests about the positive impact of the Coca-Cola Valued Youth Program on their families. Credit: Randall Remes

ipate in their child's learning when they are given the opportunity and avenue to do so.

During the conference, parents participated in activities where they examined and reflected upon how their participation in education affects the school system and their own child's interest in school. They also made a bilingual presentation about what they feel schools should be doing for their children to the entire conference.

A parent commented: "I'm glad the program is in our school. I'm glad it's in our city. It's given our kids something that we never had. It's helping them to achieve their goals."

Interested individuals from all over the United States also attended the conference to learn first-hand about the program. The guests participated in site visits at local schools which gave them an opportunity to see the tutoring program implemented. They received an overview of the program and heard from a funding panel comprised of representatives from school districts who presently implement the program.

The Coca-Cola Valued Youth Program Fifth Annual National Training Seminar and Valued Youth Conference was a huge success because teachers, students and parents wholeheartedly participated in the activities. The Coca-Cola Valued Youth Program emphasizes that good education is a shared responsibility among schools, students and parents, and brings these important partners together.

One parent stated that he had participated in many conferences before, including various bilingual education conferences, but at this conference he really felt val-

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Coca-Cola Valued Youth tutors join Alfred Ramirez (right), director of the White House Initiative on Educational Excellence for Hispanic Americans, and master of ceremony Barry Bruckman, newscaster from KENS-TV in San Antonio. Credit: Randall Remes

(three in Spanish) that were mentioned by multiple districts. For instance, 16 (of the 297) indicated they used APRENDA; 58 (of 297) said they used IPT Reading and Writing; and 30 said they used portfolios. However, there were a good number of other tests that were mentioned only by one or two districts. For mathematics, the same pattern of response occurred. For English skills achievement, there was more uniformity in the assessments. There were 118 districts indicating they used the LAS-Oral and 113 the IPT-Oral English assessment measure.

- Some reports did not indicate assessments used or made vague reference to them. In some cases, reports did not specify the measures used and did not include explanations as to why. In other cases, there were such responses as "Silver Burdett" "district test" and "end of book [exams]."

The net effects of this response to policy, which justify concern, are several. First, because alternative measures were used, students were not assessed with the TAAS. When they were assessed with other measures, many were not reported. And, where reported, there was inconclusive information on assessments and their results. Thus, there is still no adequate track record of LEP student progress. This is one major concern that bilingual educators have wanted policy to address. Furthermore, the fact that a large percentage of students were exempted, among other things, thwarts state efforts to achieve thorough accountability in all schools in the state. This is a major concern of the state department that the policy also is intended to address.

Concerns and Key Questions to Consider

Having provided the scenario, we can now revisit the earlier question, what does this say about the policy and the policy making process. With regard to policy itself, the test of adequacy would be in the content or statement of policy of which we could ask, does policy content address the major articulated concerns. These concerns are:

- Students should not be tested with the English TAAS until they know enough English to test.
- There should be, at the same time, other forms of ongoing assessment and records of achievement to demonstrate equity in teaching and learning (as required under bilingual education law).

ANALYZING POLICY AND THE POLICY MAKING PROCESS IS A WAY BY WHICH WE CAN MANAGE EDUCATIONAL (ASSESSMENT) PRACTICE AND LEAD IT IN THE DIRECTION WE WANT IT TO GO.

- LEP student performance should, in time, become an integral part of the accountability system to demonstrate how all students in the state are being taught.

With regard to the creation of policy, we might check adequacy by asking: Are there mechanisms (within the SBOE) for development and revision of policy through which it can be continually improved? Is there, and has there been, opportunity for input from all interested parties in this process? Was sufficient direction in policy interpretation and implementation provided to the field?

Relevant to policy interpretation, we could ask at least these things: Is there sufficient state guidance for interpreting policy? Is there clear understanding of the overarching purposes of policy on the part of school districts? Is there clear understanding of the limits of this state policy (that is, does this policy only define the very *minimum* that must occur and not prohibit action that surpasses the minimum desired effects and can policy, because of the complex nature of the world, not account for every possible intricacy of the matter)?

Regarding monitoring policy implementation one could inquire about these things: Are there mechanisms within the state to oversee that policy is carried out as intended? Are these mechanisms used (either by observing ongoing implementation or checking for desired end results)? Can the state determine if undesired results stem from lack of policy implementation, misimplementation of policy or a weakness in the policy itself?

In examining the policy process it is very important to also inquire about the mindset and intentions of the players in this process, particularly of those charged with carrying out policy. In fact, this is probably the most critical line of questioning, for without the will to act honestly, even the best constructed and articulated of policies will

not work. Because questioning the good intentions of others is a delicate matter, this is a difficult, perhaps impossible, task. Yet, it is possible to redirect mindsets by simply encouraging individuals to be reflective. Thus, it would be beneficial for policy implementors to ask: Am I objective in examining the purpose of the policy and in interpreting the policy statement? Most importantly, can I recognize and control my bias so that I can act in concert with the letter, and spirit, of the law?

The main purpose of this discussion is not to provide answers to questions. Rather, the purpose is to stimulate the thinking of those who happen to agree with my perception that assessment policy relevant to LEP students has not satisfied educational and equity concerns. To this end, the proposition was offered, above, that analyzing policy and the policy making process is a way by which we can manage educational (assessment) practice and lead it in the direction we want it to go.

Further, to make this writing more thought-provoking, some personal views about policy problems are offered below, based on my experience, around which more people could and should dialogue. On the state side, among some state officials, there seems to be more emphasis on making policy than on guiding and monitoring the process. To the state's credit, there was one major effort to address problems with accountability testing of students in at-risk situations through research and curriculum development in 1993-94 (Robledo Montecel, et al., 1994). Further, there is not sufficient consideration about whether or not existing rules and regulations (for bilingual and ESL education) are already in place that, if fully and loyally implemented by the schools, would achieve a desired assessment effect. Consider the 20-year old bilingual education rules on assessment, the

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COMING UP!

In August, the
IDRA Newsletter
focuses on
Language Acquisition
and Development

SPOTLIGHT ON PROFESSIONAL DEVELOPMENT

IDRA challenges practices and firmly-held beliefs regarding the education of children. Instead of viewing readiness as an intrinsic, child characteristic which must be assessed to determine whether that child can benefit from certain school experiences, readiness is viewed as external to the child and tied to teacher beliefs. IDRA's concept of professional development is based on valuing, of self and others – it is the valuing of self and of colleagues as teachers and as adults with much to offer with a vision and a hope to make a difference in children's lives. We believe that all teachers bring strengths to the profession and that all are capable of both excellence and improvement. IDRA assists people to create educational solutions through innovative, participatory, and hands-on presentations, workshops and technical assistance that promote sustained growth and development. With this principle that encourages unity rather than uniformity, our assistance values the cultures of our participants and acknowledges their experiences.

IDRA CREATES MANUAL FOR TITLE VII PROPOSAL DEVELOPMENT

Abelardo Villarreal, Ph.D.

IDRA operates one of 16 **Multifunctional Resource Centers** (MRC) in the nation. IDRA's MRC (service area 9) provides training and technical assistance to school systems operating bilingual and ESL programs in south and west Texas. With funding from the U.S. Department of Education, the MRC provides assistance in the areas of bilingual education and ESL, program design, effective instructional strategies, and materials acquisition or adaptation for teachers and administrators serving students who are limited-English-proficient. IDRA's MRC also serves as the national depository and distributor of dropout prevention information for the network.

In April, more than 100 early childhood educators gathered in San Antonio for the IDRA *La Semana del Niño* Institute, sponsored by the MRC, to celebrate the International Week of the Young Child through special professional development sessions on bilingual early childhood education methods and practices.

Also at the event, Title VII directors met to review the proposal writing process for Title VII grants. Dr. Eugene Garcia, director of the Office for Bilingual Education and Minority Languages Affairs

(OBEMLA), was present to discuss OBEMLA grants and sources of information. Leading the discussions among Title VII directors were Mr. James Lockhart, OBEMLA; Dr. Shelley Billig, Chapter 1 Technical Assistance Center; Dr. Elisa Gutiérrez and Ms. Mary Ragland, the Texas Education Agency; Dr. Robert Medrano, Presidio school district and Irma Trujillo, Ysleta school district.

Staff members of IDRA presented a proposal writing manual created by IDRA as a service to the community in an effort to assist school districts and campuses in developing Title VII applications. The manual is a collection of ideas that have worked for many people who have been successful in writing fundable Title VII applications. It can be used as a tool for planning and for assessing how well an application responds to the request for proposal (RFP) guidelines, rather than as a prescription for writing an application.

The manual provides some insights into the proposal development process and is organized into two major sections: (1) Process, and (2) Blueprint for Program Development. The first section outlines a process and gives suggestions about the key

activities that must occur before, during and after writing an application.

The second section provides a checklist for ensuring that the evaluation criteria are comprehensively addressed in the proposal. Key subsections include sample formats, process forms and models. These may be used to help in developing or evaluating a specific proposal's outline. Though not exhaustive, this section also provides sample formats, exercises and activities that may be used in working with design and writing teams. Included are relevant articles that provide information for the teams.

The manual was designed for administrators and persons assigned the responsibility of writing Title VII applications. Participants walked through the manual together and then took it with them to use in their own proposal writing efforts. With their feedback, IDRA will revise the manual and make it available on a wider scale next year. If you are interested in obtaining a copy, contact IDRA in the spring of 1996.

Dr. Abelardo Villarreal is division director of the IDRA Division of Professional Development.

Some Thoughts - continued from page 11

right? Do others always know what is best for our people?" Many were left feeling that they were only marginal participants in this monumental legislative change.

Research has strongly documented that change, when forced by external parties or when flowing from the "top down," cannot work. SB 1, lacking substantive participation from key stakeholders in the reform process – particularly lacking input from the state's most disenfranchised population – and clothed in the garb of reform, will not

work for many of the communities most in need of improvement.

We believe that all educators want to be successful and thus to produce successful outcomes for all students. We believe that all parents want the best for their children and will cooperate in supporting schools that produce good results for their children. SB 1 does little to expand these possibilities.

Let us not dwell on what has occurred, however, but shift our focus to the future. If the many changes embodied in this new bill prove to be effective and produce uniform

improvements in the quality of schooling for *all* students in Texas, let us applaud and expand on those successful efforts. But if too many students do not succeed, if the state academic panorama remains unchanged, or, worse still, if some students are neglected by our misguided attempts to help, let us hold accountable all who are responsible. Our children's best interests should remain our first priority. They deserve nothing less than a full accounting from all of us.

Dr. Albert Cortez is the division director of the IDRA Institute for Policy and Leadership.

IDRA RECEIVES TELL IT LIKE IT IS AWARD

IDRA was selected to receive this year's *Tell It Like It Is* award by the Corporate Fund for Children. The award was established as "a tribute to those who have the courage to speak out on the tough issues about children and youth in Texas." The board of directors of the Corporate Fund for Children selected IDRA for its "contributions to the school finance debate including research, publications and the demand that the issue be resolved appropriately before it is closed."

A second award was presented to Judge Rose Spector for her courage to dissent in the Texas Supreme Court ruling that the current state school finance plan meets state constitutional requirements. In her dissent, Judge Spector argued that the system is inequitable and inefficient and she strongly criticized the other judges for changing the rules of decision in the case. She argued that the opinion "sanctions *dissimilar* revenues for similar tax effort" [emphasis in original] and that the "holding is not based on any matter that was tried in the district court."

Board members of the Corporate Fund for Children specifically noted IDRA's declaration *Children First*, which they also voted to endorse. Many organizations and individuals have signed on to the declaration, communicating their collective stand for restoring children as the priority in public policy initiatives.

IDRA Executive Director Maria "Cucu" Robledo Montecel accepted the *Tell It Like It Is* award on behalf of IDRA at the Best of Texas Conference and Gala in Austin, Texas on May 4, 1995. She commented that the *Children First* declaration "unequivocally argues that Texas must attend to this issue now because state funding remains unequal and inadequate." She continued, "This statement has received broad support from organizations and individuals who also know that Texas must do more for its students and its future."

In May, IDRA mailed a copy of the declaration to state political leaders, including Governor Bush, Lt. Governor Bullock, Texas House Speaker Laney, Comptroller Sharp, Land Commissioner Morrow, the chairpersons of the Texas Senate and House Education committees, and all members of the Texas House and the Texas Senate along with a letter urging them to use their leadership roles to address key issues impacting Texas children. The letter specifically asked them to support initiatives that increase equitable state funding for school facilities, that ensure access to excellent education for *all* children, and that put children and families in the "first draw" of the state appropriations process.

Responses were received from Governor Bush, Lt. Governor Bullock, Commissioner Mauro, Comptroller Sharp, Senator Turner and others. Some state leaders point to increases in state funding as a sign of state support for children. IDRA's analysis of Senate Bill 1, the 1995 Texas education reform legislation, however, indicates that the overall plan fell far short of addressing the "children first" priority requested in our declaration. (For a copy of IDRA's *Children First* declaration and a list of endorsers, contact IDRA at 210/684-8180.)

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LPAC, and the LPAC process.

On the school district side, there appears to be too much attention to technicalities and less attention to the intention or the underlying problems that stimulated the policy change. That is, districts seem too focused on narrow interpretations of rules and preoccupied with doing the absolute minimum, rather than using their professional knowledge and experience with this student population to construct not just legal, but cutting-edge practice. All in all, there seems to be insufficient self-reflection on whether or not as practitioners we are doing our best in judging and acting.

The policy making process is a vehicle through which the leaders of our schools try to influence educational practice. Because there are issues around the policy in student assessment to resolve, it is my opinion that a conscientious effort to analyze the policy making process should occur and that, minimally, the critical ques-

tions posed in this article should be addressed by all who are concerned about the future of education for children.

Resources

- Robledo Montecel, Maria, Josie Supik, and José A. Cárdenas. "Improving Student Performance: Study Identifies Better Approach." *IDRA Newsletter* (San Antonio, Texas: Intercultural Development Research Association, October 1994).
- Texas Education Agency. "An Interim Report on Accountability Procedures on Investigating Excessive Exemptions and/or Absences on the Texas Assessment of Academic Skills (TAAS)." (Austin, Texas: IEA Office of Accountability, May 1995).
- Texas Education Agency. "TEA Memo from J. Cummings. Alternative Assessments of Students with Languages Other than English who are Exempted from State Testing Programs in English, 1993-1994." (Austin, Texas: IEA, May 2, 1995).
- Texas Education Agency. "TEA Memo from J. Cummings: Questions and Answers on 19 TAC Chapter 101.3, Assessment, Regarding Testing and Exemptions of Limited-English-Proficient Students." (Austin, Texas: IEA, May 3, 1994).
- Texas Education Agency. Texas Administrative Code 19 (TAC), Chapter 89, Subchapter A, State Plan for Educating Limited-English-Proficient Students. (Austin, Texas: IEA, 1991).

Texas Education Agency. Texas Administrative Code 19 (TAC), Chapter 101.3, Testing Appropriate Students (Austin, Texas: IEA, 1991).

Texas Education News. "TEA Finds No Widespread Wrongdoing as TAAS Participation Declines." (Austin, Texas: *Texas Education News*, May 22, 1995).

Dr. Adela Solis is a senior education associate in the IDRA Division of Professional Development.

Coca-Cola VYP - continued from page 18

ued and that his input was taken seriously. He also felt that because the activities were conducted in English and Spanish that everyone, especially all the parents, were able to participate.

Linda Cantú is a research associate in the IDRA Division of Research and Evaluation. She is the program director of the Coca-Cola Valued Youth Program.

For more information on the Coca-Cola Valued Youth Program, call IDRA at 210/684-8180

RESOURCES ON POLICY UPDATE

ADDITIONAL READINGS AND INFORMATION

THE REAL EQUITY ISSUE IS
THAT THERE ARE RADICALLY
UNEQUAL ALLOCATIONS OF FUNDS
TO SCHOOLS. THESE UNEQUAL
ALLOCATIONS ROUTINELY
DISADVANTAGE SCHOOLS
IN CENTRAL CITIES AND IN POOR
RURAL AREAS. PRIVATE SCHOOL
CHOICE... IS A SMOKE SCREEN TO
AVOID TACKLING
THE REAL EQUITY ISSUE.
- Linda Darling-Hammond,
Columbia University.
Quoted in "False Choices," 1992

Cárdenas, José A. "Unequalized Local Enrichment," *IDRA Newsletter* (San Antonio, Texas: Intercultural Development Research Association, January 1990), XVII(1), pp. 1-3.

Cardenas, José A. "The Impact of School Wealth Variation: Why Money Matters," *IDRA Newsletter* (San Antonio, Texas: Intercultural Development Research Association, April 1993), XX(4), pp. 2, 14.

Cárdenas, José A. "The Fifty Most Memorable Quotes in School Finance," *IDRA Newsletter* (San Antonio, Texas: Intercultural Development Research Association, May 1994), XXI(5), pp. 9, 18.

Cardenas, José A. "Historical Perspectives on Texas School Finance," *IDRA Newsletter* (San Antonio, Texas: Intercultural Development Research Association, May 1994), XXI(5), pp. 3, 14-15.

Cortez, Albert. "The Dissenting Opinion in *Edgewood vs. Kirby*," *IDRA Newsletter* (San Antonio, Texas: Intercultural Development Research Association, February 1989), XVI(2), pp. 1-4.

Cortez, Albert. "Funding and Student Achievement: A Clear Relationship Exists," *IDRA Newsletter* (San Antonio, Texas: Intercultural Development Research Association, April 1993), XX(4), pp. 2.

Cortez, Albert. "Equalizing School Facilities Funding in Texas," *IDRA Newsletter* (San Antonio, Texas: Intercultural Development Research Association, May 1994), XXI(5), pp. 1, 12.

"Declaration: Children First," *School Facilities Funding: IDRA Special Bulletin* (San Antonio, Texas: Intercultural Development Research Association, March 1995), XXII(1), pp. 4-5.

False Choices: Why School Vouchers Threaten Our Children's Future (Milwaukee, Wisconsin: Rethinking Schools, 1992). Tel. 414 964-9646.

Kozol, Jonathan. *Savage Inequalities: Children in America's Schools* (New York, N.Y.: Crown, 1991).

School Facilities Funding: IDRA Special Bulletin (San Antonio, Texas: Intercultural Development Research Association, March 1995), XXII(1).

Walker, B.D. and W. Kirby. "The Basics of Texas Public School Finance" *School Board Member's Library, TASB Legislative Series* (Austin, Texas: Association of School Boards, 1986).

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by Alicia Sosa, Ph.D.

This publication describes educators' roles and responsibilities in the education of a growing Mexican American population. Bilingual education, while essential, is not enough. The misuse of tracking and ability grouping, shortcomings in educational policies, and the tendency to overlook special needs are addressed as institutional barriers. *Thorough and Fair* includes statistical information, resources and bibliography.

64 Pages; ERIC; \$10.00

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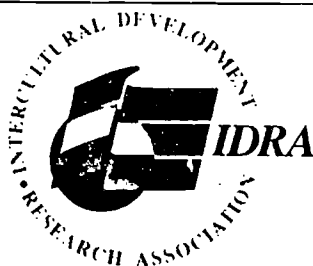
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SCHEDULE OF IDRA TRAINING AND WORKSHOP ACTIVITIES

JUNE 1 - JULY 31, 1995

This list includes activities that have been scheduled for particular school districts and other groups. They are not open to the public. For information on scheduling a similar event for your school district or other group, contact IDRA at 210-684-8180.

DATE	SCHOOL DISTRICT/AGENCY	TOPIC
June 1	South San Antonio Independent School District (ISD)	Coca-Cola Valued Youth Program (VYP)
June 5-6	Austin ISD	Multicultural Conference
	The Bronx, New York, School District 10	Coca-Cola VYP - Third Implementation Meeting
June 5-10	Brownsville ISD	VYP Mentor Training
June 6	Multifunctional Resource Center (MRC)	Integrating Active Learning Strategies to Enhance
	Regional Workshop - El Paso, Texas	Secondary Language Acquisition at the Secondary Level
June 7-8	Washington, D.C.	American Association of Higher Education
June 9-10	Educational Equity Concepts National Conference - San Antonio, Texas	Implementation of <i>Playtime Is Science</i> Throughout the Nation
June 10	Huntsville ISD	Intra-Personal Race-Cultural School Relations
June 11-13	Chapter 1 Technical Assistance Coordinators (TAC) - Breckenridge, Colorado	TAC Regional Council Meeting
June 12	Child Care training - Victoria, Texas	Strategies and Programs for At-Risk Students
June 12-16	Silver City Public Schools, New Mexico	Culture and English as a Second Language (ESL) in the Classroom
June 12-16	Northside ISD and San Antonio ISD	IDRA Young Scientists Acquiring English, Summer Institute
June 13	Goose Creek ISD	ESL Techniques
	Houston ISD	Parent Training on Learning Styles
	Waco ISD	<i>Dicho y Hecho</i> : Language Play and Arts
June 14	MRC Regional - San Antonio	Authentic Portfolio Assessment, Classroom Based
June 14-16	Silver City Public Schools, New Mexico	Culture and ESL in the Classroom
June 19	South Padre Island, Texas - Region I	Computer-Based Financial Assistance
June 19-21	Brownsville ISD	VYP Teacher Renewal
June 20	Pecos ISD	Room Arrangement
June 20-22	Edgewood ISD	Bilingual ESL Strategies; Performance-Based Activities; and Scientific Methods Using Manipulatives
June 22	Pecos ISD	Bilingual Developmental Program Practices
	New Orleans Parish, Louisiana	Teams Training on Multicultural Education
June 24	Child Care Conference - San Antonio, Texas	Parenting Effectively in a Difficult World
June 26-30	Taylor ISD	Designing a Bilingual Program
June 27	Child Care Training - Corpus Christi, Texas	Creating Teams That Work
June 28-29	Las Cruces Public Schools, New Mexico	ESL Methodology
June 28-30	MRC Conference - Newport, Rhode Island	Superintendents Summer Institute
July 10	MRC Conference - El Paso, Texas	Recent Immigrant Students
July 11	San Elizario ISD	Thematic Instruction
July 17-19	MRC Regional - San Antonio, Texas	Secondary Language Acquisition
July 18	South San Antonio ISD	Coca-Cola VYP - Planning Day
July 20	Child Care Training - Corpus Christi, Texas	Family Relationship
July 31 - Aug. 3	Pasadena ISD	ESL Institute



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